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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,186	06/13/2001	Adam Zimmer	60002-0002	3998
7590 04/14/2004				
ORANGE & CHARI Suite 4900 P.O. Box 190 66 Wellington St. W. Toronto, ON M5K 1H6 CANADA		EXAMINER VO, TED T		
		ART UNIT PAPER NUMBER 2122		
DATE MAILED: 04/14/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/879,186

Applicant(s)

ZIMMER ET AL.

Examiner

Ted T. Vo

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is in response to the application filed on 06/13/2001.  
Claims 1-6 are pending in the application.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Carlos Matos, "Managing The Process of Middle-Tier Integration Through the Usage of Extensible Markup Language (XML)", [http://www.cs.colorado.edu/~getrich/Classes/csci5817/Term\\_Papers/matos](http://www.cs.colorado.edu/~getrich/Classes/csci5817/Term_Papers/matos) 1999.

Given the broadest reasonable interpretation of followed claims in light of the specification:

As per Claim 1:

*"A multi-tier application system for generating a central application (multi-tier application, third paragraph in section 1-Introduction, (page 1)) for deployment on a predetermined combination of selected components (discussion deployment in section: 5.2-Development of Flexible Web Applications), the system comprising:*

*a) an abstract notation description file (XML file) to contain data (XML data, and see section 5.2.1 5.2.1-Data integration from disparate sources) for the central application (See Figure 1: "Application", and refer to the term 'multi-tier applications' used in the reference);*

*b) an editor for entering a selected set of input parameters to provide the data (See section: 5.2-Development of Flexible Web Applications (page 5); and*

*c) an application generator for transforming the data from the abstract notation to a selected platform notation corresponding to the selected components, the selected notation contained in the central application (Web Browser);*

*wherein the deployment of the central application, monitors the communication of component data between the selected components (see section: 5.3-Delivery of Data on the Web (page 7)).*

As per Claim 2: regarding, *"The system according to claim 1, wherein at least two of the selected components having different platforms"* (see section: 2-Heterogeneous Database Access Issues (page 2), refer to "Heterogeneous").

As per Claim 3: Regarding: *"The system according to claim 2, wherein the description file including platform indicators in the data capable of representing multiple applications of different platforms corresponding to the selected components"* (also see section: 2-Heterogeneous Database Access Issues, refer to "Heterogeneous").

As per Claim 4: Regarding:

*"A method for generating a central application for deployment on a predetermined combination of components selected from a multi-tier environment, the method comprising the steps of:*

*a) selecting input parameters for representing data for the central application;*

*b) combining the input parameters for producing an abstract notation description file comprising the data;*

*c) transforming the data from the abstract notation to a selected platform notation corresponding to the selected components; and*

*d) generating the central application containing the platform notation;*

*wherein deployment of the central application monitors the communication of component data between the selected components":* The limitation has the functionality corresponding to the limitation recited in Claim 1. Therefore, the rejection is applied in the same reason as set forth in connecting to the rejection of Claim 1.

As per Claim 5:

Regarding: "A computer program product for generating a central application module for deployment on a predetermined combination of selected components, the product comprising: a) a computer readable medium; b) an abstract notation description module stored on said computer readable medium for containing data for the central application module; c) an editor module coupled to the description module for entering a selected set of input parameters to provide the data; d) an application generator module coupled to said description module for transforming the data from the abstract notation to a selected platform notation corresponding to the selected components; and e) the central application module coupled to the generator module for receiving the selected platform notation; wherein the deployment of the central application module monitors the communication of component data between the selected components": The limitation has the functionality corresponding to the limitation recited in Claim 1. Therefore, the rejection is applied in the same reason as set forth in connecting to the rejection of Claim 1.

As per Claim 6: Regarding:

"A multi-tier application system for generating a central application for deployment on a predetermined combination of selected components having different platforms, the system comprising: a) an abstract notation description file to contain data for the central application, the description file capable of representing multiple sub-applications of different platforms; b) an editor for entering a selected set of input parameters to provide the data, the data including platform indicators; and c) an application generator for transforming the data from the abstract notation to a plurality of selected platform notations corresponding to the platform indicators, the selected notations representing different platforms contained by the central application; wherein the deployment of the central application as a series of the sub-applications on corresponding tiers containing the selected components facilitates the monitoring of communication of component data between the selected components": The limitation has the functionality corresponding to the limitation recited in Claim 1. Therefore, the rejection is applied in the same reason as set forth in connecting to the rejection of Claim 1.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Eisenstein et al., "Applying Model-Based Techniques to the Development of UIs for Mobile Computers", 2001 ACM, discloses UIs used in multi-platform of computers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (703) 308-9049. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM ET. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam, can be reached on (703) 305-4552.

The fax phone numbers:

(703) 872-9306 (for formal communication intended for entry);

(703) 746-5429 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*TED T. VO*

Patent Examiner  
Art Unit: 2122  
April 9, 2004